

LUKMY, R  
Part 1

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

In re Motion by the United States Securities  
and Exchange Commission for  
Nondisclosure Orders

17/  
15 Misc. \_\_\_\_\_ (\_\_\_\_) *ML*

FILED UNDER SEAL AND *EX PARTE*

**ORDER**

The United States Securities and Exchange Commission (the “Commission”) has motioned, under 18 U.S.C. § 2705(b), for an order directing CSC Holdings, LLC – proprietor of Optimum Online – an electronic communications service and/or remote computing service provider, not to give notice to its customer, subscriber, or any other person, of one or more administrative subpoenas to be issued to CSC Holdings, LLC/Optimum Online in connection with the Commission’s investigation numbered NY-09547 and titled Trading in the Securities of Elizabeth Arden.


The Court finds, under 18 U.S.C. § 2705(b), that “there is reason to believe that notification of the existence of the . . . subpoena . . . will result in . . . (3) destruction of or tampering with evidence; . . . or (5) otherwise seriously jeopardizing an investigation.”

IT IS THEREFORE ORDERED under 18 U.S.C. § 2705(b) that CSC Holdings, LLC/Optimum Online shall not disclose the existence of the motion, this Order, or subpoenas in this investigation to its subscriber, customer, or any other person, unless and until otherwise authorized to do so by the Court, except that CSC Holdings/Optimum Online may disclose the motion, this Order, or subpoenas in this investigation to an attorney for CSC Holdings/Optimum Online for the purpose of receiving legal advice.

IT IS FURTHER ORDERED that the Commission will provide an update to this Court within every 180 days from the issuance of this Order concerning the status of the investigation and the continued justification, if any, for this Order.

IT IS FURTHER ORDERED that the Commission shall notify CSC Holdings, LLC/Optimum Online within 30 days of the conclusion of the Commission's investigation described in the motion, unless such period is extended by the court in accordance with 18 U.S.C. § 2705(b). After such notification, CSC Holdings, LLC/Optimum Online shall no longer be bound by the nondisclosure order. *That entity shall no longer be bound by this order after January 4, 2019 unless otherwise ordered by the Court. C.H.W.*

IT IS FURTHER ORDERED that the motion and this Order are sealed until, otherwise ordered by the Court. *the seal is off January 4, 2019 unless C.H.W.*

  
United States District Judge  
Gregory H. Woods

Dated: 10/19/17